

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:))
)	Chapter 11
YELLOW CORPORATION, <i>et al.</i> , ¹))
)	Case No. 23-11069 (CTG)
Debtors.))
)	(Jointly Administered)
))

**DEBTORS' WITNESS AND EXHIBIT LIST
FOR HEARING ON DECEMBER 12, 2023 AT 10:00 A.M. (ET)**

The above-captioned debtors and debtors in possession (the “Debtors”) hereby submit this witness and exhibit list in connection with the hearing scheduled for **December 12, 2023, at 10:00 a.m. (ET)**, before the Honorable Craig T. Goldblatt, at the United States Bankruptcy Court for the District of Delaware, located at 824 N. Market Street, 3rd Floor, Courtroom No. 7, Wilmington, Delaware 19801 (the “Hearing”), at which time the following motions (the “Motions”) will be heard:²

1. *Motion of the Debtors for Entry of an Order (I)(A) Approving Bidding Procedures for the Sale or Sales of the Debtors’ Assets; (B) Scheduling an Auction and Approving the Form and Manner of Notice Thereof; (C) Approving Assumption and Assignment Procedures, (D) Scheduling a Sale Hearing and Approving the Form and Manner of Notice Thereof; (II)(A) Approving the Sale of the Debtors’ Assets Free and Clear of Liens, Claims, Interests and Encumbrances and (B) Approving the Assumption and Assignment of Executory Contracts and Unexpired Leases; and (III) Granting Related Relief* (Docket No. 22) (the “Sale Motion”);
2. *Motion of Paul R. Wyszynski for Relief from the Automatic Stay* [Docket No. 630];

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://dm.epiq11.com/YellowCorporation>. The location of the Debtors’ principal place of business and the Debtors’ service address in these chapter 11 cases is: 11500 Outlook Street, Suite 400, Overland Park, Kansas 66211.

² The Debtors have asked the lift stay movants to continue their motions, among other things, given the filing of the Debtors’ proposed ADR procedures and the position taken by the Debtors’ insurer, ORIC, that it has no duty to defend (whether or not any stay is lifted) and no coverage obligations to the Debtors. Many of the lift stay movants have agreed to do so and others may also agree between the filing of this pleading and the hearing on Tuesday, December 12.

3. *Motion of Lawrence Nowicki, for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) of the Bankruptcy Code* [Docket No. 659];
4. *Motion of Jesse Isreal Newton for Relief from the Automatic Stay* [Docket No. 741];
5. *Motion of Susan Degenkolb for Relief from the Automatic Stay* [Docket No. 783];
6. *Motion of Jason E. Ellis, for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) of the Bankruptcy Code* [Docket No. 829];
7. *Motion of William Litral for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) of the Bankruptcy Code* [Docket No. 844];
8. *Jose Emilio Ronderos's Motion for Relief from the Automatic Stay* [Docket No. 877];
9. *Jacob Bazarov and Tamara Peirova's Motion for Relief from the Automatic Stay* [Docket No. 878];
10. *Sopia L. Goodman's Motion for Relief from the Automatic Stay* [Docket No. 879];
11. *Motion of James Alexander and Lisa Alexander for Relief from the Automatic Stay* [Docket No. 903];
12. *Motion of Shane Snider and Carla Maria Snider for Relief from the Automatic Stay Pursuant to Section 362(d) of the Bankruptcy Code* [Docket No. 991];
13. *Motion of Ahmed Elsamady for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) of the Bankruptcy Code* [Docket No. 1028];
14. *Motion Phillip B. Deterding's Motion for Relief from the Automatic Stay* [Docket No. 1037];
15. *Paul Edward Fowler's Motion for Relief from the Automatic Stay* [Docket No. 1169];
and
16. *Motion of Delores Jones for Relief from the Automatic Stay Pursuant to Section 362(d) of the Bankruptcy Code* [Docket No. 1181].

WITNESSES

The Debtors designate the following witnesses in connection with the Sale Motion:

- (1) Cody Kaldenberg.
- (2) Brian Whittman.

The Debtors also cross designate all witnesses designated by any other party in connection with the Motions, and reserve the right to call any necessary rebuttal or impeachment witnesses.

EXHIBITS

The Debtors designate the following exhibits that may be used at the Hearing in connection with the Sale Motion and the lift stay motion:

Exhibit No.	Document Description	Docket No.
1.	Declaration of Cody Kaldenberg ISO Sale Motion	1303
2.	Declaration of Brian Whittman ISO Sale Motion	1305
3.	Notice of Winning Bidders	1268
4.	ORIC Objection to Lift Stay Motions	1106
5.	Proposed ADR Procedures	To be filed 12/8
6.	9/18/23 ORIC Coverage Letter in <i>Groves</i>	
7.	9/25/23 ORIC Coverage Letter in <i>Binette</i>	
8.	9/25/23 ORIC Coverage Letter in <i>Clark</i>	
9.	9/21/23 ORIC Coverage Letter in <i>Howard</i>	
10.	9/29/23 ORIC Coverage Letter in <i>Nasser</i>	
11.	10/27/23 ORIC Coverage Letter in <i>Wyszynski</i>	
12.	11/2/23 ORIC Coverage Letter in <i>Newton</i>	
13.	10/27/23 ORIC Coverage Letter in <i>Nowicki</i>	
14.	11/2/23 ORIC Coverage Letter in <i>Degengolb</i>	

15.	11/2/23 ORIC Coverage Letter in <i>Littral</i>	
16.	11/27/23 ORIC Coverage Letter in <i>Goodman</i>	
17.	11/27/23 ORIC Coverage Letter in <i>Alexander</i>	
18.	9/29/23 ORIC Coverage Letter in <i>Wright</i>	
19.	ORIC Coverage Letter in <i>Deterding</i> (anticipated 12/8/23)	

The Debtors also cross designate all exhibits designated by any other party in connection with the Motions and reserve the right to use additional exhibits for rebuttal or impeachment purposes. The Debtors reserve the right to object to the entry into evidence of any exhibit, including those listed above or on any other party's exhibit list. The Debors also reserve the right to amend or supplement this witness and exhibit list prior to the Hearing.

Dated: December 8, 2023
Wilmington, Delaware

/s/ Laura Davis Jones

Laura Davis Jones (DE Bar No. 2436)
Timothy P. Cairns (DE Bar No. 4228)
Peter J. Keane (DE Bar No. 5503)
Edward Corma (DE Bar No. 6718)
PACHULSKI STANG ZIEHL & JONES LLP
919 North Market Street, 17th Floor
P.O. Box 8705
Wilmington, Delaware 19801
Telephone: (302) 652-4100
Facsimile: (302) 652-4400
Email: ljones@pszjlaw.com
tcairns@pszjlaw.com
pkeane@pszjlaw.com
ecorma@pszjlaw.com

Patrick J. Nash Jr., P.C. (admitted *pro hac vice*)
David Seligman, P.C. (admitted *pro hac vice*)
Whitney Fogelberg (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
300 North LaSalle
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200
Email: patrick.nash@kirkland.com
david.seligman@kirkland.com
whitney.fogelberg@kirkland.com

-and-

Allyson B. Smith (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
KIRKLAND & ELLIS INTERNATIONAL LLP
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
Email: allyson.smith@kirkland.com

Co-Counsel for the Debtors and Debtors in Possession